

Amendment to H.R. 758

Offered by Mr. Frank of Massachusetts

Page 4, after line 16, insert the following new subsection (and redesignate the subsequent subsection accordingly):

1 (c) CONSUMER BANKING COSTS ASSESSMENT.—

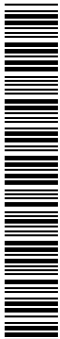
2 (1) IN GENERAL.—The Federal Reserve Act
3 (12 U.S.C. 221 et seq.) is amended—

4 (A) by redesignating sections 30 and 31 as
5 sections 31 and 32, respectively; and

6 (B) by inserting after section 29 the following new section:

8 **“SEC. 30. SURVEY OF BANK FEES AND SERVICES.**

9 **“(a) ANNUAL SURVEY REQUIRED.—**The Board of
10 Governors of the Federal Reserve System shall obtain annually a sample, which is representative by type and size
11 of the institution (including small institutions) and geographic location, of the following retail banking services
12 and products provided by insured depository institutions
13 and insured credit unions (along with related fees and
14 minimum balances):
15
16



1 “(1) Checking and other transaction accounts.

2 “(2) Negotiable order of withdrawal and sav-
3 ings accounts.

4 “(3) Automated teller machine transactions.

5 “(4) Other electronic transactions.

6 “(b) MINIMUM SURVEY REQUIREMENT.—The annual
7 survey described in subsection (a) shall meet the following
8 minimum requirements:

9 “(1) CHECKING AND OTHER TRANSACTION AC-
10 COUNTS.—Data on checking and transaction ac-
11 counts shall include, at a minimum, the following:

12 “(A) Monthly and annual fees and min-
13 imum balances to avoid such fees.

14 “(B) Minimum opening balances.

15 “(C) Check processing fees.

16 “(D) Check printing fees.

17 “(E) Balance inquiry fees.

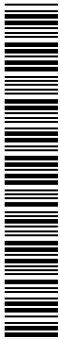
18 “(F) Fees imposed for using a teller or
19 other institution employee.

20 “(G) Stop payment order fees.

21 “(H) Nonsufficient fund fees.

22 “(I) Overdraft fees.

23 “(J) Deposit items returned fees.



1 “(K) Availability of no-cost or low-cost ac-
2 counts for consumers who maintain low bal-
3 ances.

4 “(2) NEGOTIABLE ORDER OF WITHDRAWAL AC-
5 COUNTS AND SAVINGS ACCOUNTS.—Data on nego-
6 tiable order of withdrawal accounts and savings ac-
7 counts shall include, at a minimum, the following:

8 “(A) Monthly and annual fees and min-
9 imum balances to avoid such fees.

10 “(B) Minimum opening balances.

11 “(C) Rate at which interest is paid to con-
12 sumers.

13 “(D) Check processing fees for negotiable
14 order of withdrawal accounts.

15 “(E) Fees imposed for using a teller or
16 other institution employee.

17 “(F) Availability of no-cost or low-cost ac-
18 counts for consumers who maintain low bal-
19 ances.

20 “(3) AUTOMATED TELLER TRANSACTIONS.—
21 Data on automated teller machine transactions shall
22 include, at a minimum, the following:

23 “(A) Monthly and annual fees.

24 “(B) Card fees.



1 “(C) Fees charged to customers for with-
2 drawals, deposits, and balance inquiries through
3 institution-owned machines.

4 “(D) Fees charged to customers for with-
5 drawals, deposits, and balance inquiries through
6 machines owned by others.

7 “(E) Fees charged to noncustomers for
8 withdrawals, deposits, and balance inquiries
9 through institution-owned machines.

10 “(F) Point-of-sale transaction fees.

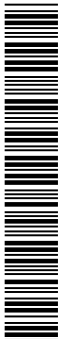
11 “(4) OTHER ELECTRONIC TRANSACTIONS.—
12 Data on other electronic transactions shall include,
13 at a minimum, the following:

14 “(A) Wire transfer fees.

15 “(B) Fees related to payments made over
16 the Internet or through other electronic means.

17 “(5) OTHER FEES AND CHARGES.—Data on
18 any other fees and charges that the Board of Gov-
19 ernors of the Federal Reserve System determines to
20 be appropriate to meet the purposes of this section.

21 “(6) FEDERAL RESERVE BOARD AUTHORITY.—
22 The Board of Governors of the Federal Reserve Sys-
23 tem may cease the collection of information with re-
24 gard to any particular fee or charge specified in this
25 subsection if the Board makes a determination that,

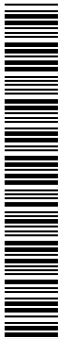


1 on the basis of changing practices in the financial
2 services industry, the collection of such information
3 is no longer necessary to accomplish the purposes of
4 this section.

5 “(c) ANNUAL REPORT TO CONGRESS REQUIRED.—

6 “(1) PREPARATION.—The Board of Governors
7 of the Federal Reserve System shall prepare a report
8 of the results of each survey conducted pursuant to
9 subsections (a) and (b) of this section and section
10 136(b)(1) of the Consumer Credit Protection Act.

11 “(2) CONTENTS OF THE REPORT.—In addition
12 to the data required to be collected pursuant to sub-
13 sections (a) and (b), each report prepared pursuant
14 to paragraph (1) shall include a description of any
15 discernible trend, in the Nation as a whole, in a rep-
16 resentative sample of the 50 States (selected with
17 due regard for regional differences), and in each
18 consolidated metropolitan statistical area (as defined
19 by the Director of the Office of Management and
20 Budget), in the cost and availability of the retail
21 banking services, including those described in sub-
22 sections (a) and (b) (including related fees and min-
23 imum balances), that delineates differences between
24 institutions on the basis of the type of institution
25 and the size of the institution, between large and



1 small institutions of the same type, and any engage-
2 ment of the institution in multistate activity.

3 “(3) SUBMISSION TO CONGRESS.—The Board
4 of Governors of the Federal Reserve System shall
5 submit an annual report to the Congress not later
6 than June 1, 2005, and not later than June 1 of
7 each subsequent year.

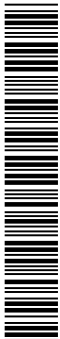
8 “(d) DEFINITIONS.—For purposes of this section, the
9 term “insured depository institution” has the meaning
10 given such term in section 3 of the Federal Deposit Insur-
11 ance Act, and the term “insured credit union” has the
12 meaning given such term in section 101 of the Federal
13 Credit Union Act.”.

14 (2) CONFORMING AMENDMENT.—

15 (A) IN GENERAL.—Paragraph (1) of sec-
16 tion 136(b) of the Truth in Lending Act (15
17 U.S.C. 1646(b)(1)) is amended to read as fol-
18 lows:

19 “(1) COLLECTION REQUIRED.—The Board shall
20 collect, on a semiannual basis, from a broad sample
21 of financial institutions which offer credit card serv-
22 ices, credit card price and availability information
23 including—

24 “(A) the information required to be dis-
25 closed under section 127(c) of this chapter;



1 “(B) the average total amount of finance
2 charges paid by consumers; and

3 “(C) the following credit card rates and
4 fees:

5 “(i) Application fees.

6 “(ii) Annual percentage rates for cash
7 advances and balance transfers.

8 “(iii) Maximum annual percentage
9 rate that may be charged when an account
10 is in default.

11 “(iv) Fees for the use of convenience
12 checks.

13 “(v) Fees for balance transfers.

14 “(vi) Fees for foreign currency con-
15 versions.”.

16 (B) EFFECTIVE DATE.—The amendment
17 made by subparagraph (A) shall take effect on
18 January 1, 2004.

19 (3) REPEAL OF OTHER REPORT PROVISIONS.—
20 Section 1002 of Financial Institutions Reform, Re-
21 covery, and Enforcement Act of 1989 and section
22 108 of the Riegle-Neal Interstate Banking and
23 Branching Efficiency Act of 1994 are hereby re-
24 pealed.

